<u>REMARKS</u>

Claims 1-10, 12-17 and 23-36 are currently pending in the application. Applicant has canceled claims 11 and 18-22, amended claims 1, 10, 12, 14 and 23, and added new claims 31-36. Applicant requests reconsideration of the application in light of the following remarks.

<u>Change of Address</u>

The office action was sent to Schmeiser, Olsen & Watts, LLC at 18 E. University Dr., Ste. 101, Mesa, AZ 85201. Applicant respectfully requests that all future correspondence for this patent application be sent to:

> Kenneth C. Booth
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A signed revocation and change of power of attorney document will be sent shortly.

<u>Telephone Interview</u>

Applicants' attorney wishes to thank the Examiner and his Supervisor for their courtesy and time during a telephone interview that was held on June 27, 2005. The Examiner's comments and insight were very helpful in preparing this response. It is hoped that the comments below reflect the spirit of the interview.

<u>Indication of Allowable Subject Matter</u>

The Examiner objected to claims 11 and 12 as being dependent upon a rejected base claim and indicated these claims would be allowable if rewritten in independent form. Applicant wishes to thank the Examiner for this indication of allowable subject matter.

Pursuant to the telephone conference with the Examiner, Applicant has incorporated the development switch of claim 11 into each of independent claims 1, 10, 14 and 23.

Rejections under 35 U.S.C. 102

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claims 1-10 and 13-30 were rejected under 35 U.S.C. 102(b) as being anticipated by Schaeffer et al. (U.S. Patent No. 5,446,842, hereinafter "Schaeffer"). Claims 18-22 have been canceled, thus obviating the rejection of those claims. Applicants respectfully traverse this rejection and request reconsideration of the remaining claims.

Schaeffer discloses a software development application that allows a developer to create a software application, such as a word processor or graphics editor, that can be used by multiple users simultaneously to collaborate on a single data file. *See* Schaeffer Abstract, Summary of the Invention, and col. 3, line 12-col. 5, line 63. The distinction should be made in Schaeffer between the software development environment and the collaborative file editing software that is created within the environment. While Schaeffer explains that the file editing software created within the environment is collaborative, Schaeffer does not appear to say that the software development environment itself is collaborative. Schaeffer's software development environment, other than including some additional functions and features, appears to function like many other software development tools in that it requires development, followed by compilation prior to running the software to demonstrate if the developed software performed and appeared as expected.

Independent claim 1 recites, "running the first copy of the software application within a software application development environment to develop the software application . . .

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activating or deactivating at least one development switch within the development environment to enable modification of at least one property of the first copy of the software application . . . ." Among other claimed elements, Schaeffer does not disclose a method of developing a software application that involves running the software application that is being developed within the development environment or a development switch within the development environment that enables modification of a property of that running software application that is being developed. A significant advantage achieved by Applicant's invention is time savings during development. If the developer is not required to compile the software to see how it will run, but instead can activate or deactivate a development switch, make the modification, and then return to the running application to demonstrate the modifications, as is recited in claim 1, is a significant time savings. In this way, the developer can demonstrate without the necessity of the typical time consuming compilation step, that the visual and behavioral aspects of the software application that were changed by modifying the property, appear and perform as expected.

Independent claim 10 recites, "running the first copy of the software application within a software development environment to develop the software application; activating or deactivating at least one development switch within the development environment to enable modification of at least one property of the first copy of the software application; . . . testing the operation of the modified copy of the first copy of the software application within the development environment . . . ." Schaeffer does not disclose a method of developing a software application that involves running the software application that is being developed within the development environment or a development switch within the development environment that enables modification of a property of the running software application being developed and then testing the operation of the modified property within the development environment.

Independent claim 14, like independent claim 1, includes running a copy of the software application within a development environment and activating or deactivating at

least one development switch within the development environment, but does this on two separate copies of the software application and then demonstrates the operation of the modified properties within the different development applications. As explained above, Schaeffer does not appear to disclose a software development environment that allows for collaborative work on developing a software application, and does not disclose running the software within the development environment or a development switch that enables modification of a property of the running software application.

Independent claim 23 recites a system for developing software applications that includes a development client configured to execute a copy of the development application and the software application, "to activate or deactivate at least one development switch within the development application to enable modification of software application properties of the executed software application . . . and to deactivate or activate the at least one development switch within the development application to demonstrate the modified properties in the executed software application." Schaeffer does not disclose the development switch that enables modification of properties of the executed software application or that allows activation or deactivation of the development switch to demonstrate the modified properties in the executed software application.

Accordingly, Schaeffer does not disclose each and every element recited in independent claims 1, 10, 14 and 23. Dependent claims 2-9, 13, 15-17 and 23-30 are allowable over Schaeffer, among other reasons, for depending from respective allowable independent claims.

Applicants respectfully request that the anticipation rejections of claims 1-10, 13-17 and 23-30 be withdrawn.

Regarding Doctrine of Equivalents

Applicants hereby declare that any amendments herein that are not specifically made for the purpose of patentability are made for other purposes, such as clarification, and that no such changes shall be construed as limiting the scope of the claims or the application of the Doctrine of Equivalents.

CONCLUSION

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

It is requested that a one-month extension of time be granted for the filing of this response, and the appropriate extension filing fee of $60 is enclosed herewith.

If any fees, including extension of time fees or additional claims fees, are due as a result of this response, please charge Deposit Account No. 50-3545. This authorization is intended to act as a constructive petition for an extension of time, should an extension of time be needed as a result of this response. The examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

Date: June 29, 2005   By _____
                                   Kenneth C. Booth
                                   Reg. No. 42,342

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